UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
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Seattle, WA 98101-3140

OFFICE OF
ENVIRONMENTAL
CLEANUP

MAR 17 2014

Ms. Amy Essig Desai
Farallon Consulting, LLC
975 5th Avenue Northwest
Issaquah, Washington 98027

Mr. Gil Leon
Earl M. Jorgensen Company
10650 South Alameda
Lynwood, California 90262

Re: Approval of *Clean Water Act Section 404(b)(1) Evaluation Jorgensen Forge Facility,* updated February 2014 and Comments on *Memorandum Re: Jorgensen Forge Early Action Area Removal Action Addendum to the Final Basis of Design Report Administrative Order on Consent, EPA Docket No. CERCLA 10-2013-0032*, dated February 20, 2014. Comprehensive Environmental Response, Compensation, and Liability Act Administrative Order on Consent, U.S. EPA Docket No. CERCLA 10-2013-0032

Dear Ms. Essig Desai and Mr. Leon:

The U.S. Environmental Protection Agency Region 10 has completed its review of and approves as final the *Clean Water Act Section 404(b)(1) Evaluation Jorgensen Forge Facility,* updated February 2014. This evaluation has been prepared for a removal action of contaminated sediments and associated bank soils within the removal action boundary of the Lower Duwamish Waterway Superfund Site adjacent to a portion of the Jorgensen Forge Facility, as required under the above-referenced Administrative Order on Consent.

The EPA has also reviewed the *Memorandum Re: Jorgensen Forge Early Action Area Removal Action Addendum to the Final Basis of Design Report Administrative Order on Consent, EPA Docket No. CERCLA 10-2013-0032*, dated February 20, 2014. This addendum has been prepared for the removal action within a cofferdam to address contaminated sediments identified by Geoprobe soil data collected in October, 2013. The EPA requires several revisions to this Memorandum, as detailed in Attachment 1 to this document.

As a reminder, the Removal Action Work Plan for the Jorgensen Forge Early Action Area is due on April 15, 2014. The EPA understands that you are currently engaged in consultation with the Tribes.

Please contact me with any further questions at (206) 553-1774 or via electronic mail at Chu.Rebecca@epa.gov.

Sincerely

Rebecca Chu

Rebecca Chu
Remedial Project Manager
Office of Environmental Cleanup

Attachment

cc: Mr. David Templeton, Anchor QEA, LLC
Mr. Ryan Barth, Anchor QEA, LLC
Ms. Maureen Sanchez, Washington State Department of Ecology
Mr. Dan Cargill, Washington State Department of Ecology
Mr. Glen St. Amant, Muckleshoot Indian Tribe
Ms. Alison O'Sullivan, The Suquamish Tribe
Mr. James Rasmussen, Duwamish River Cleanup Coalition
Ms. Jessica Winter, National Oceanic and Atmospheric Administration

ATTACHMENT 1

Comments on Jorgensen Forge Early Action Area Removal Action; Addendum to the Final Basis of Design Report; Administrative Order on Consent, EPA Docket No. CERCLA 10-2013-0032

SUBSTANTIVE COMMENTS

- **Dredge depth for "Section B" and "Section E" (Figures 8c and 8b)** Angle Boring ID JFOS2-BH04 shows total PCBs at 93 mg/kg dw at -11.5 MLLW and 0.085 mg/kg dw at -13.2 MLLW (Table 2). However, the dredge depth of these sections only extends to -12 MLLW, even though there was no sample recovered at that depth interval demonstrating that the material is below the Removal Action Level. The EPA is requiring that the dredge depth be at least as deep as the first sample depth interval below the Removal Action Level (-13.2 MLLW).

- **Delineation of materials treated as "TSCA"s versus "non-TSCA" wastes for purposes of disposal**. The Addendum contains no basis for determining the boundary between the "TSCA" vs "non-TSCA" wastes identified in Figures 8b and 8c (specifically Figure 8c "E Dredge/Excavation Section"). Given the potential of co-mingling/resuspension of contaminated sediment during the removal activities within the cofferdam; the EPA is concerned about the ability to a segregate the material adequately and that the time and effort to demonstrate that the material is "non-TSCA" prior to treatment and disposal. The EPA is requiring that all the material removed from within the cofferdam be handled as "TSCA" waste and disposed of as such.

- **Confirmatory sediment samples within cofferdam and bank**. The EPA is requiring one confirmatory sample be taken from within the middle of the cofferdam and one sidewall sample prior to backfilling.

- **Water Quality Monitoring of Treated Barge Water associated with Cofferdam Sediments**: The EPA is in the process of amending its Clean Water Act Section 401 water quality certification memo ("Memo") for the barge dewatering system associated with the sediments within the cofferdam. The EPA will require the Tier 2 monitoring schedule, as defined in the final Memo. The EPA anticipates that the data collected during this sampling event will be used for information purposes only.

- **Describe sequencing of the Cofferdam removal in relation to the other dredging/bank work**: It is unclear the sequencing of this addendum work as it relates to the other project components. It is also unclear when backfilling will occur. The EPA requires that the Removal Action Workplan contain detailed description of the sequencing of this removal activity as it relates to the broader removal action.

EDITORIAL COMMENTS

- Revise Figure 8b: the current document places JVE-01 sample within the "EAA Dredge/Excavation Limits". However, EMJ has clarified that JVE-01 is within the boundaries of the Boeing DSOA.
- Figure 8c displays samples SD-DUW157D and SD-DUW157D with PCB concentrations above the Removal Action Level, but not being dredged within this addendum. Figure 8b places these

samples within the Boeing DSOA boundary. Please clarify if area of contamination will be removed by others.

- All waste is under TSCA jurisdiction for the purposes of PCB Remediation Waste. Terms need to be used consistently with TSCA. For example, the materials are subject to TSCA ARAR as PCB Remediation Waste.
- Revise language within Addendum to reflect that all materials removed within the cofferdam will be handled as TSCA materials, including dewatering, transportation and disposal.